



KCE 1170

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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 35 USC 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  See The American Inventors Protection Act of 1999 (AIPA)	Application No.	09/763,597
	Filing Date	July 2, 2001
	First Named Inventor	Charles LOVE
	Group Art Unit	1723
	Examiner Name	Krishnan S. Menon
	Attorney Docket No	440431/PALL

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
**NOTE:** 37 CFR 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 CFR 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000). 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

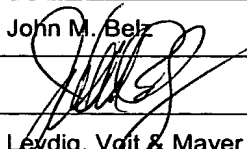
<b>1. Submission required under 37 CFR 1.114</b> a. <input type="checkbox"/> Previously submitted i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered.) ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on iii. <input type="checkbox"/> Other: b. <input checked="" type="checkbox"/> Enclosed i. <input checked="" type="checkbox"/> Amendment/Reply ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) iii. <input type="checkbox"/> Information Disclosure Statement (IDS) iv. <input type="checkbox"/> Form PTO-1449 v. <input type="checkbox"/> Copies of documents listed in Form PTO-1449 vi. <input type="checkbox"/> Other:	
<b>2. Miscellaneous</b> a. <input checked="" type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; fee under 37 CFR 1.17(i) required.) b. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 c. <input checked="" type="checkbox"/> Other: A three-month Extension of Time is requested.	
<b>3. Fees</b> The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. a. <input checked="" type="checkbox"/> Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith. i. <input checked="" type="checkbox"/> RCE fee of \$770.00 (large entity) required under 37 CFR 1.17(e) ii. <input checked="" type="checkbox"/> Three-month extension of time fee of \$950.00 (37 CFR 1.136 and 1.17) iii. <input type="checkbox"/> Petition for an extension of time for the period noted above, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee. iv. <input checked="" type="checkbox"/> Suspension of action fee of \$130.00 (37 CFR 1.17(i)) v. <input type="checkbox"/> Other: <b>Total amount to be charged to Deposit Account</b>	770.00 950.00   130.00  <b>1,850.00</b>
b. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any deficiencies in the above fees or to credit any overpayments to Deposit Account No. 12-1216	

10/06/2003 SSITHIB1 00000051 121216 09763597  
01 FC:1801 770.00 DA

10/06/2003 SSITHIB1 00000051 121216 09763597  
02 FC:1460 130.00 DA

## Request For Continued Examination Transmittal

Application No. 09/763,597  
Attorney Docket No. 440431/PALL

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED			
Name (Print/Type)	John M. Belz	Registration No. (Attorney/Agent)	30,359
Signature		Date	3 Oct 2003
Address	Leydig, Voit & Mayer 700 Thirteenth Street, NW #300 Washington, DC 20005	Phone	(202) 737-6770 (telephone) (202) 737-6776 (facsimile)

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8			
I hereby certify that this RCE Transmittal is, on the date indicated below, <input type="checkbox"/> being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or <input type="checkbox"/> being facsimile transmitted to the U.S. Patent and Trademark Office.			
Name (Print/Type)			
Signature		Date	



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PATENT  
Attorney Docket No. 440431/PALL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Charles LOVE

Application No. 09/763,597

Filed: July 2, 2001

Art Unit: 1723

Examiner: Krishnan S. Menon

For: POROUS STRUCTURES AND  
METHOD AND APPARATUS FOR  
FORMING POROUS STRUCTURES

RESPONSE TO OFFICE ACTION

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated April 3, 2003, please consider the following remarks.

10/06/2003 SSITHIB1 00000051 121216 09763597

03 FC:1253 950.00 DA